

TOWN OF LOXAHATCHEE GROVES

RESOLUTION NO. 2016-46

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, TO REDUCE THE SPEED LIMIT ON OKEECHOBEE BOULEVARD FROM 45 MILES PER HOUR TO 30 MILES PER HOUR; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THIS RESOLUTION; PROVIDING FOR PENALTIES; PROVIDING FOR CONFLICT, SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Okeechobee Boulevard is a county road located within the Town's jurisdictional limits; and

WHEREAS, section 316.006(2), Florida Statutes, provides that chartered municipalities have original jurisdiction over all streets and highways located within their boundaries, except for state roads, and the Florida Attorney General, in Opinion 2001-06, confirmed this authority includes setting speed limits on county roads within a municipality; and

WHEREAS, in accordance with sections 316.183 and 316.189, Florida Statutes, municipal speed limits, as well as the speed limits on county maintained roads in residential and business districts, are set at 30 miles per hour; and

WHEREAS, pursuant to its statutory authority, the Town has jurisdiction over Okeechobee Boulevard; and

WHEREAS, the Town finds that the safety, health and welfare of motorists, bicyclists, and pedestrians in the Town would be enhanced if the speed limit on Okeechobee Boulevard which is in a residential district in the Town, is reduced from the current forty-five (45) miles per hour posted speed limit to thirty (30) miles per hour posted speed limit in accordance with sections 316.183 and 316.189, Florida Statutes; and

WHEREAS, the Town Council of the Town hereby finds that it is in the best interests of the town to set the maximum speed limit on Okeechobee Boulevard within the Town to thirty (30) miles per hour.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA:

Section 1. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct, and are hereby made a specific part of this Resolution upon adoption hereof.

Section 2. It is hereby determined that the maximum speed limit on Okeechobee Boulevard is thirty (30) miles per hour.

Section 3. The Town Manager is authorized to take all necessary actions to implement this Resolution, including coordinating with Palm Beach County on the placement of the signage along Okeechobee Boulevard to reflect the speed limit of thirty (30) miles per hour.

Section 4. Any person found guilty of violating the speed limits established by this Resolution shall be punished according to the provisions of Chapter 316, Florida Statutes, the Florida Uniform Traffic Control Law, Section 316.665, Penalties, and Chapter 318, Disposition of Traffic Infractions.

Section 5. The speed limits established herein shall not take effect until the said signs have been placed on Okeechobee Boulevard as described in Section 3 of this Resolution.

Section 6. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 7. If any clause, section, other part, or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or in application, it shall not affect the validity of the remaining portions or applications of this Resolution.

Section 8. This Resolution shall become effective upon adoption.

Council Member McLendon offered the foregoing resolution. Council Member Liang seconded the motion, and upon being put to a vote, the vote was as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
DAVIS BROWNING, MAYOR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TOM GOLTZENÉ, VICE MAYOR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
RON JARRIEL, COUNCIL MEMBER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
RYAN LIANG, COUNCIL MEMBER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TODD MCLENDEN, COUNCIL MEMBER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, THIS 21ST DAY OF JUNE 2016.

ATTEST:

Virginia M. Walton
TOWN CLERK

APPROVED AS TO LEGAL FORM:

[Signature]
Office of the Town Attorney

TOWN OF LOXAHATCHEE GROVES,
FLORIDA

David Browning
Mayor David Browning

Tom Goltzene
Vice Mayor Tom Goltzene

Ronald Jarriel
Council Member Ron Jarriel

[Signature]
Council Member Todd McLendon

Ry. Liang
Council Member Ryan Liang

